

HOUSE BILL 1012
By Sontany

AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18; Title 55, Chapter 17 and Title 55, Chapter 3, relative to certain activities concerning motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-17-109, is amended by adding the following language as a new subsection:

(d) No person shall be authorized to purchase or otherwise obtain wrecked and inoperable vehicles from an automobile auction, salvage auction or from an automotive dismantler or recycling facility without first obtaining a separate automotive dismantlers and recyclers license as required by this part for each location where repairs and alterations are made to such motor vehicles to sell as operable motor vehicles suitable for transportation. Such license shall be in addition to any other license required by law for doing business at each such location. Provided that, if the license is to be issued to any person doing business in any county having a metropolitan form of government which has a population in excess of five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census, the commission shall not issue any such license unless the person has first been issued a permit from the metropolitan government to do major automotive repair in such location.

SECTION 2. Tennessee Code Annotated, Section 55-17-111(a), is amended by adding the following language as a new subdivision:

(9) Whether the applicant proposes to engage in the business of purchasing or otherwise obtaining wrecked and inoperable vehicles from an automobile auction, salvage auction or from an automotive dismantler or recycling facility and, after making

repairs and alterations to such motor vehicles, selling them as operable motor vehicles suitable for transportation;

SECTION 3. Tennessee Code Annotated, Section 55-3-201, is amended by adding the following language as a new subsection:

(c) The provisions of this part apply to any person who purchases or otherwise obtains wrecked and inoperable vehicles from an automobile auction, salvage auction or from an automotive dismantler or recycling facility for the purpose of making repairs and alterations to such motor vehicles to sell as operable motor vehicles suitable for transportation. A written disclosure shall be made to any person purchasing such a passenger motor vehicle that the vehicle has been rebuilt and the extent of the repair. It is an unfair and deceptive act under the Consumer Protection Act, title 47, chapter 18, to fail to make such disclosure and to fail to have the appropriate title under § 55-3-211 issued for such vehicle.

SECTION 4. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following language as a new subsection:

() Violating the provisions of § 55-3-201(c);

SECTION 5. For the purpose of promulgating rules and regulations to implement the provisions of this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes this act shall take effect September 1, 2005, the public welfare requiring it.